

POLICE/SHERIFF'S DEPARTMENT		RULES AND REGULATIONS	
SUBJECT: Jurisdiction; Mutual Aid		NUMBER: 1-17	
EFFECTIVE DATE: July 1, 1999		REVIEW DATE:	
AMENDS/SUPERSEDES: RR 1-17, January 1988		APPROVED: _____ Chief of Police/Sheriff	
CALEA STANDARDS: 2.1		VLEPSC STANDARDS: ADM.13.01	

NOTE

This order is for internal use only, and does not enlarge an officer's civil or criminal liability in any way. It should not be construed as the creation of a higher standard of safety or care in an evidentiary sense, with respect to third-party claims. Violations of this directive, if proven, can only form the basis of a complaint by this department, and then only in a non-judicial administrative setting.

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I. POLICY

On occasion the need arises to request assistance from or give assistance to a neighboring-law enforcement agency. This need usually results from an emergency such as a civil disorder, fire, flood, or other disaster. Before the need arises, agencies must clarify and plan emergency procedures. *[Note: Refer here to a separate emergency operations plan, if one exists. In the order, describe where copies may be consulted, how and when training occurs on departmental responsibilities according to the plan, and append to the order detachable checklists for dispatchers, officers, and supervisors to use in an emergency.]* Available state support systems shall be used to support operations.

II. PURPOSE

To establish procedures, duties, and responsibilities for providing assistance to, or requesting assistance from another law-enforcement agency and to provide for the use of statewide law-enforcement support systems.

III. PROCEDURE

A. Jurisdiction

1. Generally, the legal jurisdiction of the department stops at the town limits, as defined by charter. *Virginia Code* § 19.2-250, however, in criminal cases involving offenses against the commonwealth, extends departmental jurisdiction one mile beyond the corporate limit of the town. ***[Note: § 15.2-1725 extends police power of localities to any properties lying outside town boundaries within their ownership.]*** This authority may be used for the following reasons:
 - a. Assisting neighboring-law enforcement agencies or the Virginia State Police in handling emergency calls at times when they are unable to respond immediately.
 - b. When an officer observes a felony or serious misdemeanor crime-in-progress within the one-mile zone.
2. Whenever a person in the custody of an officer escapes or whenever a person flees from an officer who is attempting to arrest him, the officer, with or without warrant, may pursue the person anywhere in the state and, when actually in close pursuit, may arrest him wherever he is found (§ 19.2-77). No officer of the department shall leave the town in a pursuit or chase without informing the dispatcher. The on-duty supervisor shall monitor the pursuit and may order it to cease at any time (see GO 2-9 for further guidance). Mutual aid shall be requested from other law enforcement agencies as appropriate. Even after approving a pursuit, the on-duty supervisor shall closely monitor it and shall terminate it if necessary.

[Note: Other laws affect an officer's jurisdiction and may be mentioned in an order. For example, § 19.2-76 allows an officer to execute within his or her jurisdiction any warrant, capias, or summons issued anywhere in Virginia. Similarly, Virginia law encourages localities to enter into cooperative agreements for police service. § 15.2-1729 allows localities to develop written agreements whereby federal law-enforcement agencies can enforce local county or state laws or ordinances on federally-owned properties within counties. § 15.2-1726 allows localities to enter into reciprocal agreements with any other locality, federal law-enforcement agency, college campus police, or State Police to achieve a cooperative enforcement effort. The statute gives guidance on how such an agreement should be constructed for mutual benefit and liability protection.]

B. Mutual aid

1. Mutual aid is addressed in § 15.2-1724. For the purpose of this general order, mutual aid is defined as the short-term assistance given or asked for between the department and neighboring law- enforcement agencies during

emergencies. The circumstances which require mutual aid, per § 15.2-1724, can include one or more of the following situations:

- a. Enforcement of laws which control or prohibit the use or sale of controlled drugs (see §§ 18.2-344 and 54.1-3401);
- b. Any law-enforcement emergency involving an immediate threat to public safety;
- c. When executing orders for the temporary detention or emergency custody of people for mental health evaluation (see §§ 37.1-67.01 or -67.1);
- d. Any public disaster, war, fire, flood, epidemic, war, civil disorder (per § 15.2-1724). (See this statute for limitations concerning campus police departments.)

[Note: Although state law encourages localities to support one another during emergencies, it does not outline all of the components of a mutual-aid agreement. Contact the Crime Prevention/Law Enforcement Services Section (804-786-8421) for sample cooperative and mutual-aid agreements. Localities should have a mutual-aid agreement in place before emergencies arise. Mutual-aid agreements usually contain discussions of the following topics: criteria governing assistance requests; protocol for requesting assistance; how personnel will be deployed and supervised; how command and control will be exercised; communications procedures; how assistance terminates and personnel are withdrawn; and liability.]

2. Mutual aid may be requested from or provided to another law-enforcement agency by the department at the discretion of the on-duty supervisor; officers must remember, however, that they are primarily responsible for providing law-enforcement service to our jurisdiction. There are generally three levels of mutual aid assistance as follows:
 - a. Short duration, approximately 30 minutes or less, where an additional show of force or traffic control or assistance with prisoner transportation is required.
 - b. Medium duration, approximately one to four hours, where the senior officer on duty may request assistance from the neighboring law-enforcement agencies and the State Police; however, their role is normally confined to a showing of force, transporting prisoners, or traffic control.
 - c. Long duration, more than four hours, full- scale assistance required. The on-duty supervisor shall immediately notify the chief of

police/sheriff who will assist in coordinating additional aid as required.

[Note: § 15.2-1730 allows the chief law-enforcement officer of a locality to call on his or her counterparts in nearby towns and counties for assistance during an emergency. Under these circumstances, deputies or police officers from nearby localities have full police powers in the locality for the duration of the emergency and do not have to be deputized or sworn in.]

3. Any long-term support between the department and neighboring law-enforcement agencies shall be coordinated in advance through a written agreement that incorporates the following:
 - a. Indemnification of the provider agency and its personnel.
 - b. List of resources to be shared.
 - c. Estimate of amount of aid available.
 - d. Payment for certain expenses, e.g., meals, lodging, gas, overtime pay.
4. Occasionally it is necessary to request assistance from a federal law-enforcement agency when a major crime has occurred and the suspect may have left the state. The chief of police/sheriff shall decide whether or not to notify the FBI or other appropriate agency.

[Note: § 15.2-1728 states that in any case where the Commonwealth of Virginia has granted exclusive jurisdiction over any property to the federal government, an adjoining locality may develop a mutual-aid agreement with federal authorities to authorize law-enforcement cooperation or assistance on the property. Local officers would have the same authority, responsibility, and immunity while performing their duties on the federally-controlled property as in their own locality.]

5. If the department, with the help of neighboring law-enforcement agencies and the State Police, is unable to cope with an emergency such as a riot or civil disturbance, the chief/sheriff may contact the governor's office for National Guard assistance (see C below).

[Note: § 15.2-1727 permits any locality or state-supported institution of higher learning to enter into reciprocal agreements with any other locality outside of Virginia, including the District of Columbia. The statute details the content of any formal reciprocal agreement and outlines specific rules for college campuses.]

C. National Guard

1. *[Note: Refer here to any agreement with the National Guard to participate in drug enforcement with the locality. § 44-75.1:1 contains the National Guard Mutual Assistance Counterdrug Activities Compact, a mutual-aid pact between Virginia and neighboring states. The agreement also permits any locality within Virginia to develop a mutual-aid agreement with the National Guard for specific goals of drug interdiction, counterdrug activities, and demand reduction. The nature of National Guard assistance through an agreement with a locality involves making available National Guard facilities, equipment, and personnel for a variety of anti-drug purposes. § 44-75.1:1 outlines the content of any mutual-aid agreement with the National Guard. The Attorney General must approve any mutual aid-agreement involving the National Guard.]*
2. Only the governor has the authority to call out the National Guard to active duty (see § 44-75.1). Federal equipment and personnel can be used to support local emergencies or to protect life and property in natural disasters, protect against invasion or insurrection, per the governor's authorization. The chief of police/sheriff shall contact the governor if National Guard assistance is required.

D. Statewide law-enforcement support

1. The department is a member of and participates in the use of the Statewide Interdepartmental Radio System (SIRS) and complies with the procedures for its use. A copy of these procedures can be found posted in the department office.
2. The department participates in the use of the Central Criminal Records Exchange (CCRE) and complies with the procedures for the use of this exchange. In addition, the department participates in the Uniform Crime Reporting system administered by the State Police.
3. Some state-owned law-enforcement resources may be made available to the department for special use. These resources, and the state agency to contact, include:
 - a. Canine teams--State Police *[or local agency]*. Canine teams, if requested, shall only be used to track, and great caution shall be used in deploying teams in heavily populated or congested areas. Handlers are responsible for compliance with their own agency policies and procedures. Canine teams shall not be used for building searches.
 - b. Helicopter or fixed-wing aircraft--State Police. Normally requested in advance by the chief of police/sheriff to the superintendent. May be available on an emergency basis through the Virginia State Police.

- c. Polygraph: State Police *[or local agency with a certified examiner]*.
- d. Riot truck and equipment: State Police.
- e. Bomb disposal: State Police.
- f. Drug surveillance vans: State Police.